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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ECF

In Re the Application of: KIEFER et al.

Serial No.: 09/633,200

Filed: August 7, 2000

Atty. File No.: 4588-1-1-DIV4

"NOVEL APOPTOSIS-MODULATING For:

PROTEINS, DNA ENCODING THE PROTEINS AND METHODS OF USE

THEREOF"

Group Art Unit:

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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 ON

SHERIDAN ROSS

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

Pursuant to Applicants' duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicants hereby submit the enclosed PTO Form 1449. The documents identified with an asterisk were of record in U.S. Patent Application Serial No. 08/320,157, and since the above-identified patent application is a divisional thereof, copies of the identified documents are not being submitted under 37 CFR § 1.98(d). Applicants hereby provide a copy of each of the remaining documents identified on the enclosed PTO Form 1449. Applicants do not admit that any of such documents, alone or in any combination, are considered to be material to patentability as defined in 37 CFR § 1.56(b). Moreover, the inclusion of these documents is not to be construed as an admission by Applicants that each such document is prior art as to the above-identified patent application.

Respectfully submitted,

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Date: March 16,2001

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